
Chairman's Letter

November 14, 2011

The National Mediation Board (NMB) is an independent, federal agency that addresses collective-bargaining, representation and grievance disputes in two of the nation's key transportation sectors: the railroads and airlines. The agency is headed by a three-member board, appointed by the President and confirmed by the Senate.

Already quite successful in achieving its mission, the NMB continued during FY 2011 to seek out and implement improvements in agency operations. In the spirit of the President's Open Government initiative, the NMB acted upon several recommendations of an external review committee comprised of carrier and union experts. For example, the NMB collaborated with the parties subject to the Railway Labor Act and instituted an "expedited mediation" program to shorten the length of collective bargaining negotiations. For specifics on other actions rendered, see the Chief of Staff letter in the Management Discussion and Analysis section of this Annual Report.

The Board also created an Arbitrator Forum, a working group consisting of rail carrier and labor representatives, to guide improvements and developments in railroad arbitration. The NMB continued its assault on unresolved railroad arbitration grievances: 4,294 cases were closed in FY 2011, setting a new record for the lowest number of cases pending at 2,384.

As one of President Obama's hiring-reform initiatives, the National Mediation Board transitioned to the USA Staffing system last year. This year, the NMB further streamlined its hiring process by initiating background investigations prior to new-hires reporting for duty. This has reduced the hiring process by ten days.

In order to streamline the agency's mandatory and voluntary collective-bargaining and grievance dispute-resolution processes during FY 2011, the NMB Office of Alternative Dispute Resolution Services (ADRS) was merged into the Office of Mediation Services and renamed to Office of Mediation and ADR Services

(OMAS). This improved the coordination and utilization of scarce agency personnel and resources. The highest number of NMB mediation cases since FY 2007 and the highest number of ADR cases since FY 2008 were acted on and closed in FY 2011.

Agency resources for representation and legal affairs were stretched to the limit in FY 2011. The largest number of representation cases since FY 2004 was closed out. The agency made several single-carrier determinations in airline merger situations, conducted a number of very large nationwide representation elections, and is still investigating several allegations of election interference.

Lastly, I wish to note that the agency's paperless Records Management System earned an award for "Outstanding Achievement in Records Management" from the National Archives and Records Administration. This was the second award the NMB has received in Records Management.

This Performance and Accountability Report includes a comprehensive set of performance Goals and Results pursuant to the Government Performance and Results Act. Also incorporated, as required, are the NMB Financial and Management Assurances reports. Because the NMB is not subject to the CFO Act, this Annual Report may not contain some of the information required of CFO Act agencies.



Linda A. Puchala
Chairman

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ABOUT THE NMB

MISSION STATEMENT

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Mission Statement

The National Mediation Board (NMB) was established by the 1934 amendments to the Railway Labor Act (RLA) of 1926. It is an independent, federal agency performing a central role in facilitating harmonious labor-management relations within two of the nation's key transportation sectors: the railroads and airlines.

The NMB is headed by a three-member board appointed by the President and confirmed by the Senate. The members self-designate a Chairman typically on a yearly basis.

Pursuant to the Railway Labor Act*, the Agency's integrated dispute-resolution processes are designed to promote the following three statutory goals, enabling the National Mediation Board to effect its mandate to minimize work stoppages in the railroad and airline industries:

1. The resolution of disputes arising out of the negotiation of new or revised collective bargaining agreements;
2. The effectuation of employee rights of self-organization where a representation dispute exists; and
3. The resolution of disputes over the interpretation or application of existing collective bargaining agreements.

In order to realize these goals, the NMB Chief of Staff oversees an Office of Administration and two offices that house program areas: (1) Office of Mediation and ADR Services, and (2) Office of Arbitration Services. The Office of Legal Affairs constitutes the third program area. For further information, see the Management Discussion and Analysis section of this Annual Report.

* The Railway Labor Act (RLA) provides a comprehensive statutory framework for the resolution of labor-management disputes in the airline and railroad industries. Enacted in 1926 as a collaborative effort of labor and management, the RLA succeeded several previous federal statutes dating back to 1888. The 1926 Act provided for mandatory Mediation and voluntary Arbitration of railroad disputes in contract negotiations, as well as for Presidential Emergency Boards to enhance dispute resolution. Key amendments to the Act in 1934 established a three-member National Mediation Board (NMB) and authorized the resolution of employee Representation disputes by the NMB. In 1936, the jurisdiction of the RLA was expanded to include the airline industry. The 1981 amendment to the Act permitted the creation of specialized Presidential Emergency Boards for collective bargaining disputes at certain commuter railroads.

ABOUT THE NMB

NMB STRUCTURE

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NMB Structure

CHAIRMAN AND MEMBERS OF THE BOARD

Linda Puchalaⁱ
Chairman

Elizabeth Dougherty
Member

Harry Hoglanderⁱⁱ
Member

• **Libby Angelopoulos**
CA to Chairman Puchala

• **Layton Griffinⁱⁱⁱ**
CA to Member Dougherty

• **Robin Stein**
CA to Member Hoglander

CHIEF OF STAFF

Daniel Rainey, Chief of Staff

- **Samantha Williams**
Special Assistant to COS
- **Donald West**
Public Information Officer
- **Charles Montague**
Supervisory Program Analyst
- **April Dawson**, Program Analyst
- **Dean Wagner^{iv}**, Program Analyst
- Interns^{vii}

GENERAL COUNSEL

Mary Johnson
General Counsel

OFFICE OF ARBITRATION SERVICES

Roland Watkins, Director

- **Carol Conrad**
Supervisory Arbitration Specialist
- **Darrell Dancer**, Paralegal Specialist
- **Tia Little**
Program Management Specialist (ARB)
- **Kimberly McCann**
Program Management Assistant (ARB)
- **Linda Gathings**
Program Management Assistant (ARB)

OFFICE OF MEDIATION AND ADR SERVICES^{vi}

Larry Gibbons, Director

- **Pat Sims**, Senior Mediator
- **Denise Hedges**
Senior Mediator (ADR)
- **Terri Brown**, Senior Mediator
- Mediators
Jack Kane, John Livingood, Anthony Tosi, Gerry McGuckin, James Mackenzie, Victoria Gray, C.Anthony Iannone, Michael Kelliher, Walter Darr, Andrew Nordgren
- **LoValerie Mullins**
Mediator (ADR)
- **Karen Burton**
Mediation Program Specialist

OFFICE OF ADMINISTRATION

June D.W. King, Director

- **Amandeus Watkins**, Budget Officer
- **Denise Murdock**
Program & Management Analyst
- **Steven Thomas**
Support Service Specialist
- **Bruce Conward, Jr.**
Support Service Specialist
- **Terran Walker**
Support Service Specialist
- **Florine Kellogg**, Receptionist

OFFICE OF LEGAL AFFAIRS

- **Kate Dowling**, Associate GC
- **Norman Graber**, Counsel
- **Eileen Hennessey**, Counsel
- **Susanna Parker**, Counsel
- **Cristina Bonaca**, Counsel
- **Angela Heverling**, Counsel
- **Timothy Sweeney**
Paralegal Specialist
- **Tonya Kirksey**
Program Support Specialist
- **Elijah Crayton^{viii}**
Program Support Specialist

i Became Chairman on July 1, 2011.

ii Served as Chairman in this fiscal year through June 30, 2011.

iii Replaced Anne Woodson on October 11, 2011.

iv Served as a Paralegal in the Office of Legal Affairs until April 25, 2011.

v Joined the agency on October 11, 2011.

vi The Office of Alternative Dispute Resolution (ADR) merged with Mediation in this fiscal year.

viii Brad Kinkade, Michelle Rossi, and Aaron Seyedian served the NMB during FY 2011 under the agency's Brunkenhoefer-Lee-Moneypenny Internship Program.

ABOUT THE NMB

BOARD MEMBERS

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Board Members



Linda Puchala
Chairman

Ms. Linda A. Puchala assumed Chairmanship of the National Mediation Board (NMB) for a second time effective July 1, 2011 through June 30, 2012.

Nominated by President Barack Obama, she was confirmed as Member of the National Mediation Board by the United States Senate on May 21, 2009. She was sworn in on May 26, 2009, completing the term of her predecessor as Chairman through June 30, 2009. Ms. Puchala's current term as Member runs through June 30, 2012.

Prior to becoming a Member, Ms. Puchala served 10 years at the National Mediation Board as a Mediator, Sr. Mediator-ADR, and Associate Director of Alternative Dispute Resolution Services. Ms. Puchala's prior labor relations experience includes work as International President of the Association of Flight Attendants-CWA, AFL-CIO and Staff Director, Michigan State Employees Association, AFSCME, AFL-CIO.

Ms. Puchala resides in Glen Burnie, Maryland, and holds a Bachelor's degree in Business Administration from Cleary University in Howell, Michigan. She has two daughters, Jennifer Adams of Pasadena, MD and Jessica Puchala of Grand Rapids, MI.



Elizabeth Dougherty
Member

Ms. Elizabeth Dougherty, a Member of the National Mediation Board (NMB) since December 13, 2006, has twice served as Chairman: from July 1, 2009 through June 30, 2010 and also from December 13, 2006 through June 30, 2007. She was nominated by President George W. Bush and subsequently confirmed by the U.S. Senate on December 8, 2006.

Prior to joining the Board, Ms. Dougherty most recently served as Special Assistant to the President for Domestic Policy at the White House, where she covered labor and transportation issues. Prior to that, she served as Chief Counsel for the United States Senate Subcommittee on Employment, Safety and Training. Earlier in her career, she was an Associate at Hogan & Hartson, practicing labor and employment law.

Ms. Dougherty received her bachelor's degree from Duke University and her JD from the University of Virginia. She currently resides in Washington, DC, with her husband, Paul, and their two children.

ABOUT THE NMB

BOARD MEMBERS (CONT.)

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Board Members



Harry Hoglander
Member

Mr. Hoglander was first confirmed as member of the NMB by the United States Senate on August 1, 2002, and reconfirmed for a second term on December 8, 2006, and a third term on July 24, 2009. He has served three times as Chairman of the Board, most recently from July 1, 2010 through June 30, 2011.

Prior to joining the Board, Mr. Hoglander served as a Legislative Specialist in the office of Congressman John Tierney of Massachusetts with responsibilities in Transportation issues including aviation, rail and maritime, Labor, Defense and Veterans Affairs.

Member Hoglander has an extensive background in the aviation industry and labor relations, having flown as a Captain for Trans World Airline (TWA) and being elected Master Chairman of TWA's Master Executive Council. He was also elected Executive Vice-President of the Air Line Pilots Association. After leaving TWA, Mr. Hoglander was named Aviation Labor Representative to the United States Bi-Lateral Negotiating Team by then Secretary of State James Baker.

Mr. Hoglander was also a pilot in the United States Air Force, retiring with the rank of Lt. Colonel. He graduated from Suffolk University Law School and is a member of the Florida Bar.

Member Hoglander and his wife Judith reside in Magnolia, Massachusetts. They have six grown children and twelve grandchildren.

ABOUT THE NMB

EXECUTIVE DIRECTORS

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Executive Directors



Daniel Rainey
Chief of Staff

Daniel Rainey is the Chief of Staff for the National Mediation Board. He joined the NMB from private practice in ADR and conflict management in April, 2001.

As Chief of Staff, he is responsible for managing the agency's internal programs, and he has full responsibility for implementing the Board's policies in all matters coming under its jurisdiction in the administration of the Railway Labor Act, except for those related to the Board's legal representation program and FOIA requests.

Immediately prior to coming to the NMB, Mr. Rainey was the owner/president of a consulting firm specializing in conflict management, conflict intervention, and training. From 1978 through 1990, he was a faculty member and administrative faculty member at George Mason University.

His memberships and associations include: the Association for Conflict Resolution, the American Bar Association Section of Dispute Resolution, the National Center for Technology and Dispute Resolution, and the Conflict Resolution Quarterly Editorial Board.



Mary Johnson
General Counsel

Mary L. Johnson is General Counsel of the National Mediation Board. As General Counsel, she serves as the Chief Legal Officer of the agency and manages the Board's representation program and a legal program which includes litigation. In this role, Ms. Johnson provides legal advice to the Board Members and agency staff. In addition, she ensures compliance with the Freedom of Information Act, Government in the Sunshine Act, and other statutes.

Several months prior to her becoming General Counsel on December 15, 2002, Ms. Johnson was appointed Acting Director of the Board's Office of Legal Affairs. She had served as the Board's Litigation Counsel since March, 2000. She has also been the agency's Designated Ethics Official since November 2002, and prior to that, Alternate Designated Ethics Official from 1996. Ms. Johnson joined the National Mediation Board as a Hearing Officer in December 1980, and became a Senior Hearing Officer in 1989.

Ms. Johnson received her Juris Doctor from the University of Connecticut School of Law and her A.B. from Barnard College. She is a member of the Connecticut Bar and public Co-chair of the Railroad and Airline Labor Committee of the Labor and Employment Law Section of the American Bar Association.

ABOUT THE NMB

DIRECTORS

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Directors



Larry Gibbons

Director, Mediation and ADR Services

Larry Gibbons joined the Board in September, 1997 as a Senior Mediator. Currently, Mr. Gibbons is the Director of Mediation and has overall responsibility for the administration and management of mediation cases in the airline and railroad industries as well as the Agency's Alternate Dispute Resolution Program.

Mr. Gibbons brought to the Board 25 years of experience in personnel and labor relations, practicing under both the NLRA and RLA. Immediately prior to joining the NMB, he headed Human Resources and Labor Relations with ABX Air, Inc. (Airborne Express) for 12 years and for two years was an independent labor relations consultant. He is a past President and Member of the AIRCON Executive Board. Mr. Gibbons was also actively involved in community activities including serving on a Board of Directors for the United Way and an Adult Rehabilitation Workshop.

Mr. Gibbons earned a Bachelor of Science degree in Journalism from Ohio University, and he served as an officer in the United States Army.



Roland Watkins

Director, Arbitration Services

Roland Watkins joined the National Mediation Board in February, 1980. During his career at the Board, he has been a Senior Hearing Officer and Legal Counsel. He has also served as counsel/special assistant to numerous Presidential Emergency Boards and Congressional Advisory Boards.

Currently, Mr. Watkins serves as the Director of the Arbitration Department, where he is responsible for all aspects of Grievance and Interest Arbitration in the airline and railroad industries. These responsibilities include administering railroad Public Law Boards, Special Boards of Adjustment and Arbitration Boards. He serves as the Administrator for the National Railroad Adjustment Board which is located in Chicago, Illinois.

Mr. Watkins received his B.A. degree in Economics from Lafayette College located in Easton, Pennsylvania, and his Juris Doctor from Cornell Law School in Ithaca, New York. He is a member of the Railroad and Airline Labor Committee and the Dispute Resolution Committee of the Labor and Employment Law Section of the American Bar Association.

ABOUT THE NMB

DIRECTORS (CONT.)

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Directors



June D.W. King

Director, Office of Administration

June D.W. King is currently the Director of Administration (OA) and Chief Information Officer (CIO) for the National Mediation Board. As the OA Director, she is responsible for the Board's administrative management functions, which include strategic planning and budgeting; accounting and finance; human resources management; procurement and contracting; and internal audit and evaluation. As the CIO, she has direct authority for the NMB's policies and practices of the Board's Information Technology Program.

She serves as the NMB's principal management official on all the Small Agency Councils in the areas of administration, human resources and information technology. She is also a member of the Small Agency Council Executive Committee and the Chief Information Officers' Committee.

Mrs. King received her Bachelor's degree in Business Administration with a concentration in Accounting from the University of the District of Columbia.

ABOUT THE NMB

REGISTRY OF BOARD MEMBERS

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Registry of Board Members

Name	Start Date	Status	End Date
Linda A. Puchala	05-26-09	Active ¹	--
Elizabeth Dougherty	12-13-06	Active ²	--
Read Van de Water	12-11-03	Term Expired	05-22-09
Harry R. Hoglander	08-06-02	Active ³	--
Edward J. Fitzmaurice, Jr.	08-02-02	Term Expired	12-13-06
Francis J. Duggan	11-22-99	Retired	11-21-03
Magdalena G. Jacobsen	12-01-93	Retired	08-02-02
Ernest W. DuBester	11-15-93	Resigned	08-01-01
Kenneth B. Hipp	05-19-95	Resigned	12-31-98
Kimberly A. Madigan	08-20-90	Resigned	11-30-93
Patrick J. Cleary	12-04-89	Resigned	01-31-95
Joshua M. Javits	01-19-88	Resigned	11-14-93
Charles L. Woods	01-09-86	Resigned	01-15-88
Helen M. Witt	11-18-83	Resigned	09-18-88
Walter C. Wallace	10-12-82	Term Expired	07-01-90
Robert J. Brown	08-20-79	Resigned	06-01-82
Robert O. Harris	08-03-77	Resigned	07-31-84
Kay McMurray	10-05-72	Term Expired	07-01-77
Peter C. Benedict	08-09-71	Deceased	04-12-72
David H. Stowe	12-10-70	Retired	07-01-79
George S. Ives	09-19-69	Retired	09-01-81
Howard G. Gamser	03-11-63	Resigned	05-31-69
Robert O. Boyd	12-28-53	Resigned	10-14-62
Leverett Edwards	04-21-50	Resigned	07-31-70
John Thad Scott, Jr.	03-05-48	Resigned	07-31-53
Francis A. O'Neill, Jr.	04-01-47	Resigned	04-30-71
Frank P. Douglass	07-03-44	Resigned	03-01-50
William M. Leiserson	03-01-43	Resigned	05-31-44
Harry H. Schwartz	02-26-43	Term Expired	01-31-47
David J. Lewis	06-03-39	Resigned	02-05-43
George A. Cook	01-07-38	Resigned	08-01-46
Otto S. Beyer	02-11-36	Resigned	02-11-43
John M. Carmody	07-21-34	Resigned	09-30-35
James W. Carmalt	07-21-34	Deceased	12-02-37
William M. Leiserson	07-21-34	Resigned	05-31-39

¹ Term expires July 1, 2012.

² Term expired July 1, 2010.

³ Term expired July 1, 2011.